

RECEIVED
CENTRAL FAX CENTER
SEP 2 3 2004

Fax Urgent Return reply red	quested Original will be sent as confirmation
To: United States Patent and Trademark Office	Date: September 23, 2004
Attention: Examiner Khai M. Nguyen	Re: Appl. No. 10/812,975; Filed 03/31/04 For: Hardware-Efficient Implementation
From: George S. Bardmesser	of Dynamic Element Matching in Sigma- Delta DAC's Inventors: WANG <i>et al</i> .
Pages (including cover sheet): 2	- ə
Fax No: 571-273-1809	Our Reference: 1875.3750001/RES/GSB

Message

Certification of Facsimile Transmission

I hereby cartify that this paper is being facsivelle transmitted to the Patent and Trademark Office on the date shown below.

Date:

please sign and return this page as acknowledgment of receipt

If any portion of this transmission is not received clearly or in full, contact us at 202.371.2600 or f 202.371.2540

This message is intended for the exclusive use of the individual or entity to which it is addressed. The message may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, disminution, copying or use of this communication in any way is strictly prohibited. If you have received this communication in error, please call us collect immediately, and return the original message to us at the above address via the U.S. Postal Service.

RECEIVED **CENTRAL FAX CENTER**

SEP-23-2004 13:16 SKGF

202 371 2540

P.02

PTO/SB/25 (08-03)

SEP 2 3 2004

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Docket Number (Optional)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION 1875.3750001/RES/GSB WANG et al. In re Application of: 10/812,975 Application No.: March 31, 2004 Filed: For. Hardware-Efficient Implementation Of Dynamic Element Matching In Sigma-Delta Dac's The owner*, Broadcom Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number _ filed on January 30, 2003, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent; expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. Check either box 1 or 2 below, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful felse statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. The undersigned is an attorney or agent of record. George S. Bardmesser Typed or printed name (202) 371-2600 Telephone Number Terminal disclaimer fee under 37 CFR 1.20(d) is included. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. *Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or recain a benefit by the public which is to file (and by the USPTO to process) an application, Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will very depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Intermation Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450. Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-600-PTO-9199 and select option 2.